

CHARTER OF THE CITY OF SAN DIEGO

Section 79

1. Original Charter section approved by voters April 7, 1931

Section 79. SPECIAL ASSESSMENTS. The Council shall have power by ordinance to provide for the payment of all or any part of the cost of any public service or of the acquisition of any land or other property for public use, or of the construction, reconstruction, operation or maintenance of any structure or work in the nature of a public facility or improvement, by levying and collecting special assessments upon property specially benefitted. The mode and manner for the acquisition of any land or other property for public use or of the construction, reconstruction, operation or maintenance of any structure or work in the nature of a public facility or improvement and the levying and collecting of special assessments therefor shall be as prescribed at that time by the general law of the State of California relative thereto; unless the Council shall by ordinance provide otherwise.

Provided, however, that the legal and engineering work of preparing proceedings, plans and specifications, costs and estimates of any improvements under this Section shall be done and performed by the offices of the City Attorney and City Engineer, respectively, unless there shall be filed with the City Clerk for presentation to the Council a request in writing by property owners interested that such engineering and legal work be performed by engineers and attorneys outside of the City employ, and at the same time deposited with said Clerk for the use of the City a sum of money sufficient to cover and pay for the costs of such engineering and legal work. In the event that for any reason such proceeding for a public improvement shall not be carried forward to completion so that assessments upon the property benefitted may be legally levied and collected in an amount sufficient to pay the entire cost of said public improvement, including such legal and engineering costs, then and in that event such money so deposited may be used by the City to defray the cost of such engineering and legal work as shall have been done prior to the abandonment of such proceeding. The Council shall order the return of such money, if the proceeding is completed to the extent that such costs for engineering and legal fees have been legally assessed as part of the costs against the property benefitted. In no case, however, shall the City ever be held liable for the costs and fees of such outside engineers and attorneys.

2. Amendment voted 06-07-1966; effective 06-29-1966

See current Charter.